

A.G. CONTRACT NO 97-3192

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
ARIZONA DEPARTMENT OF TRANSPORTATION  
AND  
ARIZONA STATE UNIVERSITY -  
ARIZONA TRANSPORTATION RESEARCH CENTER

THIS AGREEMENT entered into this 9th day of November, 1987 pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called "State" and the Arizona State University - Center for Advance Research in Transportation, acting by and through the Arizona Board of Regents, hereinafter called "University".

WHEREAS, State is empowered by Section 28-108 Arizona Revised Statutes to enter into this agreement and has, by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and the Director of the Arizona Department of Transportation has delegated to the undersigned the authority to execute same on behalf of State; and

WHEREAS, University is empowered by Section 15-1625 Arizona Revised Statutes to enter into this agreement, and acting by and through the Arizona Board of Regents has, by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute same on behalf of University; and

WHEREAS, University has been selected by the Federal Highway Administration to perform the work under RTAP 46B, herein attached as Exhibit A; and

WHEREAS, the receipt of the grant from the Federal Highway Administration is subject to approval of a Statement of Work by the STATE; and

WHEREAS, both parties acknowledge that this agreement will promote the safety and welfare of the travelling public and citizens of arizona; and

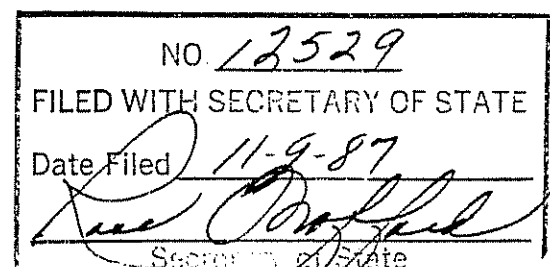
WHEREAS, the project is to be paid 100% by FHWA, herein attached as Exhibit B, and ADOT is to monitor and contract for this work.

THEREFORE, the parties hereto agree as follows:

UNIVERSITY:

1. Shall complete the work as stated in the proposal dated July 1987, "Pavement Management for Local Executives", herein attached as Exhibit C and referred to as Project.

2. Shall complete the Project within 12 months from Notice to Proceed.



STATE: The State shall reimburse the University a lump sum of \$23,373 for the cost of the Project, plus approved adjustments by FHWA upon receipt of funds from FHWA (reference Exhibit B). Said reimbursement may be paid in installments based upon Progress and Final Payment Reports (Form No. 12-6903) submitted by the University. Said form to be submitted by University directly to Arizona Transportation Research Center.

In the event FHWA seeks refund of part or all of the monies under the grant for failure to comply with conditions of the grant, University shall be solely responsible for refund of monies. The University shall not be required to refund any sums in excess of amounts actually recieved by the University under the grant.

All parties hereto acknowledge that performance and discharge of State's duties recited herein are conditioned upon the availability of funds as allocated by the Federal Highway Administration.

THIS AGREEMENT shall remain in full force and effect until completion of said Project; however, that this agreement may be cancelled at any time upon 30 days' written notice to the other party.

This Agreement shall become effective on the date of filing same with the Secretary of State.

Attached hereto and incorporated herein by reference is a copy of State's resolution authorizing entry into this agreement, a copy of University's resolution passed by the Arizona Board of Regents, a copy of the written determination of the appropriate attorney that University is authorized under the laws of this State to enter into this agreement, and that said agreement is in proper form, and a copy of the Attorney General's Intergovernmental Agreement Determination.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

ARIZONA STATE UNIVERSITY

By: Ronald E. Barr  
Ronald E. Barr  
Title: Asst. Vice President/Research

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

By: W. O. Ford  
W. O. Ford  
State Engineer

ATTEST:

Georgia M. Simpson, Notary  
My Commission Expires October 9, 1988

APPROVED AS TO FORM AND AUTHORITY:

Mary C. Steven

## ATTACHMENT A

R E S O L U T I O N

Be it resolved on this date, November 09, 1987, I, CHARLES L. MILLER, the below undersigned Director, Department of Transportation, have determined that it is to be to the advantage of the State of Arizona that the Department acting by and through the Highways Division, and the Arizona State University, enter into this intergovernmental agency agreement for preparation of a video tape or slide tape presentation to educate local executives on the benefits of a Pavement Management System. Intergovernmental Agreement No. 87-4 Project No. RTAP-46B(001).



CHARLES L. MILLER, Director

Arizona Department of Transportation

CERTIFICATION

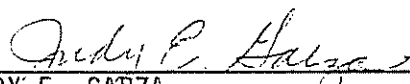
STATE OF ARIZONA     )  
                              )  
County of Maricopa    )

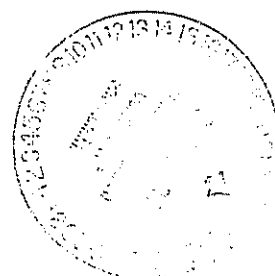
I, JUDY E. GARZA, the duly appointed, qualified and acting Secretary to the Arizona Board of Regents, do hereby certify that during a regular meeting of said Board held on, October 15, 1987, the Board, by motion duly made, seconded and carried, approved and authorized execution of the following:

an Intergovernmental Agreement between the Arizona Board of Regents, for and on behalf of Arizona State University, and the Arizona Department of Transportation, to develop a slide/tape and a video tape explaining the various aspects of and the benefits to be derived from a Pavement Management System for local highway agency executives in the amount of \$23,373 for a period ending twelve months after Notice to Proceed.

I further certify that said meeting was duly called and regularly convened and was attended throughout by a majority of the members of said Board, and that approval has not since been altered or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of said Board this 21st day of October, 1987.

  
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JUDY E. GARZA  
Secretary to the Board of Regents




ATTACHMENT "C"  
INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

Pursuant to A.R.S. 11-952, the foregoing agreement has been submitted to Counsel to the Arizona Board of Regents.

The undersigned has determined that said agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Board of Regents.

Dated this 27<sup>th</sup> day of October, 1987.

  
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Mary C. Stevens  
University Legal Counsel  
ARIZONA STATE UNIVERSITY

IGA No. 87-4, Pavement Management System video/slide tape presentation

## ATTACHMENT "D"

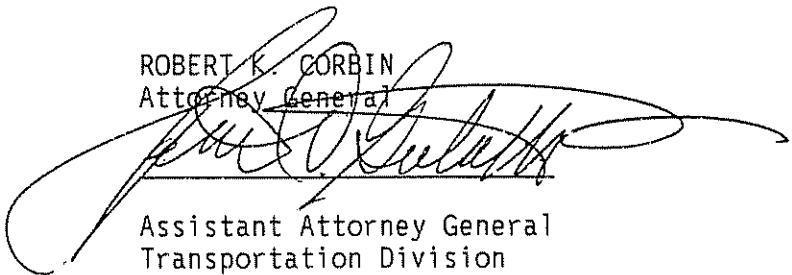
INTERGOVERNMENTAL AGREEMENTDETERMINATION

A. G. Contract No. KR87-3192, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. Sec. 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 9th day of November, 1987.

ROBERT K. CORBIN  
Attorney General

  
Assistant Attorney General  
Transportation Division